

REMARKS

Claims 1-11 have been previously canceled, claim 12 is currently amended and no new claims have been added or canceled by way of this response. Thus, claims 12-22 are currently pending and presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Objections:

The Examiner has objected to the abstract of the invention. Applicants have amended the Abstract to resolve any issues.

The Examiner has objected to claim 12. Applicants have amended claim 12 to clarify the phrase "can adapt" as suggested by the Examiner.

The Examiner has indicated, with reference to claim 12, the word "ferric" is mistyped. Applicants respectfully disagree. Claim 12 contains the word, "ferritic" which is correctly spelled. In light of the above, Applicants respectfully request that the Examiner withdraw the objections.

Response To Obviousness-Type Double Patenting Rejection:

The Examiner provisionally rejected claims 12-22 under the judicially created doctrine of obviousness-type double patenting, stating that although the subject matter of these claims is not identical to claims 12-17, 19 and 21 of U.S. Patent Application 10/501,724, the pending claims are not patentably distinct from these claims.

While Applicants do not acquiesce to the grounds of the rejection, Applicants submit the accompanying Terminal Disclaimer in accordance with 37 C.F.R. §§ 1.321(b) and 3.73(b) in order to promptly resolve this issue. Therefore Applicants respectfully request the Examiner withdraw the double patenting rejection and allow claims 12-22.

Response to Rejections Under Section 102:

Claims 12-22 stand rejected under 35 U.S.C § 102(b), the Examiner contending that these claims are anticipated by Vernon et al (USPN 5,021,738).

Applicants' Claim 12 recites:

...with **the substrate is flexible** and the probe with the substrate
adapts itself to a different radii of curvature of the test piece;

In contrast, Vernon et al. teaches providing multiple ferrite cup core probes to avoid changing probes for varying material thickness. (see e.g. col. 5, lines 3-7) Vernon et al. is silent as to a flexible substrate, as recited in Applicants claim 12.

In view of the above, claim 12 is not anticipated by Vernon et al. Furthermore, Claims 13-22 which depend on claim 12 are also patentable at least based on their dependence from claim 12 as well as based on their own merits. Therefore, Applicants respectfully request that the Examiner withdraw the Section 102 rejections and allow claims 12-22.

Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. All correspondence should continue to be directed to our below-listed address. Accordingly, Applicants respectfully request that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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